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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,168	03/06/2002	Sridhar Satuloori	5681-08800	9232

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EXAMINER	
ZHEN, LI B	

ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
11/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

MN

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)	
	10/092,168	SATULOORI ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2194	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 October 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

11/8/2007

Continuation of 11. does NOT place the application in condition for allowance because: applicant's arguments are not persuasive. In response to the Final Office Action dated 8/22/2007, applicant argues:

(1) Neither Lucassen nor Green teaches or suggests that a dynamic generator that is part of an application generates a new dynamic component to replace an existing component if it is determined that a new set of requirements for the application includes changes from an initial set for the application. [p. 2, lines 21 - p. 3, line 4]

(2) Green does not describe determining whether the new requirements include change from an initial set of requirements for the application. Instead, Green teaches determining whether the development system supports the requirements for the application [p. 3, lines 5 - 10 and p. 4, lines 6 - 18]

(3) Since it is a dynamic component generator of the application that determines whether the new set of requirements includes changes from the initial set, the application must clearly exist, as Applicants have stated. [p. 3, line 11 - p. 4, line 5]

(4) Neither Lucassen nor Green, whether considered singly or in combination, teaches or suggests, generating a new dynamic component for an application if it is determined that new requirements for the application include changes from an initial set of requirements for the application, as recited in Applicants' claims. [p. 4, line 19 - p. 5, line 2]

(5) No application of Lucassen's determines whether a new set of requirements includes changes from an initial set of requirements. Instead, as noted above, Lucassen's system relies on developer-generated presentations. [p. 5, lines 18 - 24]

In response to argument (1), examiner respectfully disagrees and notes that Lucassen discloses a dynamic component generator [interaction manager 57; p. 12, paragraph 0109] configured to receive a new set of requirements [p. 12, paragraph 0108] for the application and generate a second dynamic component to replace the first dynamic component [p. 3, paragraph 0029], wherein the second dynamic component is configured to function according to the new set of requirements [p. 12, paragraph 0109 and p. 13, paragraph 0123]. Although the interaction manager of Lucassen is not part of the application, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the interaction manager with the application because this provides for direct and faster communication between the application and the component generator. In addition, applicant's specification discloses that the dynamic component generator may be a module of the application [p. 7, paragraph 0022] or the dynamic component generator may be a module separate from the application [stand-alone component, p. 7, paragraph 0022].

As to argument (2), examiner disagrees and notes that Green clearly discloses that the new requirements are for the application [As shown at 11, application requirements are first determined, p. 4, paragraph 0058]. As additional requirements arise, new software components for the application are created and/or existing software components of the application are modified [p. 5, paragraph 60]. When additional application requirements arise, Green determines that the new requirements include a change from an initial set of requirements for the application. For example, let the initial requirements include functions A and B and the additional requirement includes function C. Since function C was not included in the initial requirements, the additional requirement indicates a change from the initial set of requirements for the application by requiring the additional function C.

In response to argument (3), examiner previously submitted that although the application of Green is in the development stage, the application of Green also exists [see response to argument (3) in the Final Office Action dated 08/22/2007]. Applicant did not traverse examiner's suggestion that the application of Green exists in the development stage. It appears that applicant is maintaining the position that an "existing application" is an application that have been developed and deployed. Examiner disagrees and submits that the term "existing application" is broad enough to cover an existing application in the development stage. In addition, the fact that the claimed dynamic component generator is included in the application does not suggest that the application is developed, deployed and not in the development stage. For example, applicant's specification discloses that the dynamic component generator may be a module of the application [p. 7, paragraph 0022] or the dynamic component generator may be a module separate from the application [stand-alone component, p. 7, paragraph 0022]. Finally, it is noted that the specification disclose that the dynamic component generator may leverage integrated development environment tools [p. 8, paragraph 0024 of applicant's specification]. When the dynamic component generator leverages integrated development environment tools, the application is considered to be in the development stage.

As to argument (4), examiner disagrees and notes that Green discloses that as additional requirements arise, new software components for the application are created and/or existing software components of the application are modified [p. 5, paragraph 60]. When additional application requirements arise, Green determines that the new requirements include a change from an initial set of requirements for the application [see also response to argument (2) above] and new software components for the application are created.

As to argument (5), examiner disagrees and notes that the combination of Lucassen and Green teaches an application that determines whether a new set of requirements includes changes from an initial set of requirements. For example, the combination of Lucassen and Green teaches an application [interaction manager; p. 12, paragraph 0109 of Lucassen] that receives a new set of requirements [p. 12, paragraph 0108 of Lucassen], determines whether a new set of requirements includes changes from an initial set of requirements [p. 5, paragraph 0060 of Green] and generates a dynamic component [p. 3, paragraph 0029 of Lucassen and p. 5, paragraph 0060 of Green]. Therefore, the combination of Lucassen and Green teaches applicant's invention as claimed.